

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 24TH MAY 2007 / 3RD JYASHTA 1929

Bail Appl..No. 2566 of 2007()

C.R.NO.14/07 OF KUNNAMANGALAM EXCISE RANGE

: PETITIONER/ACCUSED NO.1:

M.A. FIROZRAHIMAN, S/O.M.C.ABDURAHIMAN,
AGED 32 YEARS, MUSALIYARAKATH HOUSE, KUTTIPPALA,
MUKKAM P.O., KOZHIKODE DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: COMPLAINANT:

STATE OF KERALA THROUGH THE
EXCISE INSPECTOR, KUNNAMANGALAM EXCISE RANGE,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 24/05/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

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B.A. No. 2566 OF 2007 A
.....

Dated this the 24th day of May, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner, who is the first accused in C.R.No.14/07 of Kunnamangalam Excise Range for offences punishable under sections 55(a) and 58(i) of the Abkari Act for allegedly having been found in possession of 6 litres of IMFL, seeks anticipatory Bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case involving such grave offence. It is too early to accept the petitioner's contention that the petitioner has been falsely implicated. There is no reason why the petitioner should not surrender before the magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned within two weeks from today and files an application for regular bail, the same shall be considered and disposed of, preferably on the same day on which it is filed bearing in mind the decision in ***Sukumari Vs. State of Kerala*** [2001 (1) KLT 22].

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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